



**CITY OF RIDGEFIELD, WASHINGTON
CITY COUNCIL MEETING MINUTES
OCTOBER 12, 2023**

Regular Meeting - 6:30 PM

I. STUDY SESSION - 5:30 P.M.

- 1. Stormwater Update: Phase 2 Municipal Permit Requirements - Chuck Green, Public Works Director**

II. GENERAL SESSION CALL TO ORDER - 6:30 PM

- 1. Flag Salute**
- 2. Roll Call**

Present:

Mayor Jennifer Lindsay
Mayor Pro Tem Rob Aichele
Council Member Matt Cole
Council Member Lee Wells
Council Member Ron Onslow
Council Member Judy Chipman
Council Member Clyde Burkle

- 3. Late changes to the agenda**

III. PROCLAMATION - BREAST CANCER AWARENESS MONTH

- 1. Pink Patch Presentation - Cathy Doriot, Police Chief**

IV. PUBLIC COMMENT

Anyone requesting to speak to the Council regarding all items not subject to a specific Public Hearing may come forward at this time. Please state your name and limit comments to three minutes. Written comments may be submitted to the Clerk prior to the meeting.

Comments received during public testimony can be heard on the City's website under <https://ridgefieldwa.us/government/city-council-meeting-audio-files/>.

V. CONSENT AGENDA

MOTION TO APPROVE AS PRESENTED.

RESULT:	(UNANIMOUS)
MOVER:	Mayor Pro Tem Rob Aichele
SECONDER:	Council Member Clyde Burkle
AYES:	Mayor Lindsay, Mayor Pro Tem Aichele, Council Member Cole, Council Member Wells, Council Member Onslow, Council Member Chipman, Council Member Burkle

1. **Approval of Claims And/Or Payroll**
2. **Approval of Minutes from the September 28, 2023 Meeting**

VI. BUSINESS

1. **Motion - Options and Direction for Parcel Address 116 N Main Avenue - Kirk Johnson, Finance Director**

At the previous presentation on options for the vacated building located at 116 N Main Ave, council asked for additional details from staff. Staff have obtained additional information including build date, appraisal values and potential demolition costs to help facilitate the discussion on what direction council would like to go. Staff are requesting final directions on the two options mentioned by council. Council settled on two options; sell both parcels or demolish the current building to create additional off street parking in the downtown area.

City Council conducted a discussion.

MOTION: MOVED TO DEMOLISH THE OLD POLICE STATION BUILDING, FILL AREA WITH GRAVEL AND HOLD THE JAIL FOR FURTHER CONSIDERATION.

COUNCIL MEMBER AICHELE MOVED TO AMEND COUNCIL MEMBER ONSLOW MOTION TO INLCUDE THE DEMOLITION OF THE SHED.

COUNCIL MEMBER COLE SECOND.

MOTION PASSED.

ORIGINAL MOTION:

RESULT:	(UNANIMOUS)
MOVER:	Council Member Ron Onslow
SECONDER:	Council Member Lee Wells
AYES:	Mayor Lindsay, Mayor Pro Tem Aichele, Council Member Cole, Council Member Wells, Council Member Onslow, Council Member Chipman, Council Member Burkle

2. **Motion - Approve a Drinking Water State Revolving Fund (DWSRF) Loan Application - Kirk Johnson, Finance Director**

Staff are reviewing funding options for the design and construction of a 5-million gallon reservoir on the east side of I-5. Staff are currently negotiating the acquisition of land to accommodate the reservoir. Staff are requesting authorization from the Council to submit a 0% planning and design loan to assist with the design of the reservoir in 2024. The estimated cost of design is \$1.5 million. The additional funding will come from water system development charge capital funding. The city has an opportunity to obtain a

\$500,000 loan at 0% interest over 10-years to assist with the funding for the design. Staff would continue to look for grant and debt funding sources to complete construction beginning in 2025. The available funding is on a first come basis and will be scored and ranked depending on the number of applications received in the period the city submits the application. The city as a publicly owned water system is eligible to apply for the funding assistance. The project scope qualifies as an eligible project to complete planning and design that leads to eventual construction of the infrastructure. Council approval for the submission of the application is required to complete eligibility.

MOTION: MOVED TO AUTHORIZE THE CITY MANAGER AND FINANCE DIRECTOR TO SUBMIT A LOAN APPLICATION IN THE AMOUNT OF \$500,000 FOR A DRINKING WATER STATE REVOLVING FUND PLANNING AND ENGINEERING LOAN.

RESULT:	(UNANIMOUS)
MOVER:	Council Member Judy Chipman
SECONDER:	Council Member Ron Onslow
AYES:	Mayor Lindsay, Mayor Pro Tem Aichele, Council Member Cole, Council Member Wells, Council Member Onslow, Council Member Chipman, Council Member Burkle

3. Motion - Approval of Subordination Agreement with the Port of Ridgefield - Steve Stuart, City Manager

The Port of Ridgefield is getting ready to record the permanent Restrictive Covenants on the remediated port-owned property on the Ridgefield waterfront. These govern what can and can't be done with the property, to maintain the protection of human health and the environment in perpetuity. The Department of Ecology is requiring that the Port of Ridgefield also get subordination agreements from two outside parties who have certain rights on the Port's waterfront property. The City of Ridgefield owns Right of Way for Division Street which is included in the area subject to the Port's environmental covenant, and Clark Public Utilities has easements for power lines there as well. The Department of Ecology is requiring both parties to agree to abide by the same rules that the Port is agreeing to, via a Subordination Agreement which attaches to the Port's environmental covenant.

MOTION: MOVED TO APPROVE SUBORDINATION AGREEMENT WITH THE PORT OF RIDGEFIELD.

RESULT:	(UNANIMOUS)
MOVER:	Mayor Pro Tem Rob Aichele
SECONDER:	Council Member Clyde Burkle
AYES:	Mayor Lindsay, Mayor Pro Tem Aichele, Council Member Cole, Council Member Wells, Council Member Onslow, Council Member Chipman, Council Member Burkle

4. Motion - Approval of Purchase and Sales Agreement, Wertz Property - Steve Stuart, City Manager

The City of Ridgefield has worked with the property owner of Clark County Tax Parcel Number 213720000 ("Property") since 2021 on several key connections with and preservations of open space. First, a trail connection between DeMelo Park and 35th Ave, second preserving and enhancing the open space on the Property, and third completing necessary roadway improvements to 35th Ave on the Eastern frontage of the Property. In 2022, the Property owner and City agreed to an easement for trail connection between DeMelo Park and 35th Ave. The Property owner has also initiated a real property covenant for a period of ten years to conserve the open space value of the Property. Third, the City and Property owner have

agreed in principle to City acquisition of Right of Way necessary to facilitate a complete street improvement of 35th Ave along the Eastern frontage of the Property. That Purchase and Sale Agreement is before the Ridgfield City Council for consideration at the October 12, 2023 Meeting. The City of Ridgfield plans to construct full-width roadway improvements along 35th Avenue abutting the Property in Ridgfield (“35th Avenue Roadway” Project). A portion of the Property is necessary for the construction of the 35th Avenue Roadway Project. As a result, the City needs to acquire a thirty-five foot strip of property along the east side of the Property (approximately 330.21 linear feet), totaling approximately 11,557.35 square feet. To ascertain a value for the Property, the City conducted two appraisals of the Property which were both shared with Property owner, on 11/13/2022 and 6/16/2023. Due to the lack of progress in finalizing a purchase based on the valuations, and in recognition of the public safety need for the roadway project, on 10/6/2023, City Attorney sent the Property owner an offer letter under threat of condemnation. The Property owner has since indicated a willingness to finalize the City’s purchase of the Property under the following conditions:

1. \$62,294.12 , which is the appraised value of the acreage in question. An appraisal conducted by the City determined a per square foot value of \$5.39 . The total square feet to be purchased by the City would be 11,557.35 (330.21’ x 35’). $\$5.39 \text{ per square foot} \times 11,557.35 = \$62,294.12$
2. The City commits to assuring construction of complete street improvements for 35th Ave in the acquisition area, including full-width roadway, planting strip, and sidewalk, connecting with same improvements to the north and south of your property.
3. The City, at its expense, will have a fence constructed which matches the one which has already been constructed on the south of your property (adjacent to DiMelo Park), connecting with the existing fence, continuing it east to the edge of your property, north along the eastern edge of your property), then completing the fenced area by adding a section which extends between the existing fences along the north side of your property (between 3448 N Abernathy Cir and 3349 N Abernathy Cir.
4. The fence shall have vehicle access gate with associated curb cut at the existing Property access point on 35th Ave. The fence shall also have a person/equipment gate installed on the northern edge of the Property adjacent to Abernathy Circle, though there is no representation by the City that access from Abernathy Circle would be allowed or provided by the City.
5. The City Council shall consider adoption of a temporary restrictive covenant, created in partnership between the Property owner and the City (with City staff providing research and drafting resources) for the purposes of maintaining it’s value as open space for a 10 year term.

MOTION: MOVED TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT FOR THE WERTZ PROPERTY AS PRESENTED.

RESULT:	(UNANIMOUS)
MOVER:	Council Member Ron Onslow
SECONDER:	Council Member Judy Chipman
AYES:	Mayor Lindsay, Mayor Pro Tem Aichele, Council Member Cole, Council Member Wells, Council Member Onslow, Council Member Chipman, Council Member Burkle

5. Motion - Approval of Declaration of Land Use Restriction and Real Property Covenant, Wertz Property - Steve Stuart, City Manager

The City of Ridgfield has worked with the property owner of Clark County Tax Parcel Number 213720000

("Property") since 2021 on several key connections with and preservations of open space. First, a trail connection between DeMelo Park and 35th Ave, second preserving and enhancing the open space on the Property, and third completing necessary roadway improvements to 35th Ave on the Eastern frontage of the Property. In 2022, the Property owner and City agreed to an easement for trail connection between DeMelo Park and 35th Ave. More recently, the City and Property owner have agreed in principle to City acquisition of Right of Way necessary to facilitate a complete street improvement of 35th Ave along the Eastern frontage of the Property. That Purchase and Sale Agreement is before the Ridgefield City Council for consideration at the October 12, 2023 Meeting. The third component of work between the City and Property owner is also before the City Council at the October 12, 2023 Meeting.

The City and Property owner have a shared interest in preserving the unique natural, open space, ecological, environmental and aesthetic value of the Property. To preserve these conservation values, the Property owner has agreed to initiate a real property covenant for a period of ten years to conserve the values of the Property. The Property owner is not requested or required by the City to undertake this action, but nevertheless the value conveyed is such that the Property owner is seeking to proceed with the declaration.

Under the terms of the restrictive covenant that the City is being asked to accept, the Property owner commits to:

- Preserving and protecting the conservation values of the Property;
- Allowing the City to enter the Property at reasonable times (and with notice) to monitor compliance with the covenant;
- Preventing any activity or use of the Property that is inconsistent with the purpose of the covenant;
- Prevent construction of permanent structures, paving, commercial development, waste disposal; and
- Creating a first right of refusal for the City to purchase the Property at market value.

An amended copy of the declaration of land use restriction and real property covenant was presented to the Council at the meeting with minor changes.

MOTION: MOVED TO AUTHORIZE THE CITY MANAGER TO ACCEPT THE DECLARATION OF LAND USE RESTRICTION AND REAL PROPERTY COVENANT AS AMENDED.

RESULT:	(UNANIMOUS)
MOVER:	Council Member Clyde Burkle
SECONDER:	Council Member Lee Wells
AYES:	Mayor Lindsay, Mayor Pro Tem Aichele, Council Member Cole, Council Member Wells, Council Member Onslow, Council Member Chipman, Council Member Burkle

VII. PUBLIC HEARING/BUSINESS

1. Public Hearing and First Reading of Ordinance No. 1409 - The Crossing Phases 1-3 Plat Alterations - Claire Lust, Community Development Director

On January 9, 2020, Ridgefield City Council approved The Crossing (Phase 1) final plat. Phase 1 subdivided

Parcel #986052946 (4 acres) into 36 single-family attached residential lots, three parking areas, a storm facility, and three open space tracts. The Phase 1 final plat was recorded at the Clark County Auditor's office on February 4, 2020. Phase 1 Plat Note 6 identifies the Homeowners Association (HOA) as the owner and party responsible for maintenance of the open space tracts. Plat Note 4 identifies the HOA as the owner and party responsible for maintenance of the parking areas. On November 5, 2020, Council approved The Crossing Phase 2 final plat. Phase 2 subdivided Parcels #986055023 and 986052945 (6.88 acres) into 52 single-family attached residential lots, two parking areas, a storm facility, and four open space tracts. The Phase 2 final plat was recorded at the Clark County Auditor's office on November 18, 2020. Phase 2 Plat Notes 6 and 11 identifies the HOA as the owner and party responsible for maintenance of the open space tracts. Plat Note 4 identifies the HOA as the owner and party responsible for maintenance of the parking areas. On July 22, 2021, Council approved The Crossing Phase 3 final plat. Phase 3 subdivided Parcel #986052944 (4.4 acres) into 45 single-family attached residential lots, three parking areas, a storm facility, and three open space tracts. The Phase 3 final plat was recorded at the Clark County Auditor's office on July 27, 2021. Phase 3 Plat Note 5 identifies the HOA as the owner and party responsible for maintenance of the open space tracts. Plat Note 14 identifies the HOA as the owner and party responsible for maintenance of the parking areas. For each of the three final plats, the applicant's proposal is to for all common areas except the stormwater facility (i.e., open space tracts and parking areas) to be owned in common by the lot owners in undivided interests instead of being owned by the HOA. At this time, RCIF C1 LLC and RCIF C2 LLC own each of the residential lots as rental properties. Phase 2 Plat Note 19 states that public access is allowed on all walking trails. On June 9, 2023, staff requested that this language be added to the Phase 1 and Phase 3 plats. The applicant added the language to the Phase 1 plat and stated that there are no trails in Phase 3. Therefore, the proposal also includes a new note on the Phase 1 plat, Plat Note 20, stating that public access is allowed on all walking trails.

The City held a land use hearing before the Hearing Examiner on September 5, 2023. On September 6, 2023 the Hearing Examiner issued a recommendation of approval of The Crossing Phases 1-3 final plat alternations to City Council subject to the following conditions of approval:

1. The City shall comply with the procedural requirements in RDC 18.620.150.
2. Per RCW 58.17.215, upon approval of the alteration, the applicant shall submit revised final plat mylars for signature and record the signed mylars with the County auditor.
3. The applicant shall record the revised CC&Rs with the County auditor.
4. The applicant shall submit electronic copies of the recorded final plat and CC&Rs to the City within 30 days of recording.

City Council conducted a discussion.

Mayor Lindsay Opened the Hearing: 7:49PM

No testimony was received.

Mayor Lindsay Closed the Hearing: 7:49PM

First reading only.

VIII. PUBLIC COMMENT

Anyone requesting to speak to the Council regarding all items not subject to a specific Public Hearing may come forward at this time. Please state your name and limit comments to three minutes. Written comments may be submitted to the Clerk prior to the meeting.

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IX. COUNCIL/PRESIDING OFFICER/STAFF REPORTS

1. Council

Council Member Cole - Attended an Economic Summit hosted by Ridgefield Main Street.
Council Member Chipman - Attended the Ridgefield Main Street meeting.
Council Member Wells - Attended the City Manager briefing.
Mayor Pro Tem Aichele - Attended the Port of Ridgefield meeting.
Council Member Burkle - Attended City Manager briefing, Port of Ridgefield meeting, Humane Society of Southwest WA Gala, homecoming game, dozer day at the fairgrounds.
Council Member Onslow - Attended School Board meeting, homecoming game, RTC meeting, First Citizen Award, Humane Society of Southwest WA Gala, City Manager briefing.

2. Mayor

Washington state history presentation on local government at View Ridge.

3. City Manager

City Manager Steve Stuart - Presented at the Economic Summit hosted by Ridgefield Main Street. YMCA meeting update.
Public Works Director Chuck Green - Update on school flashers at the high school. CDBG update.
Finance Director Kirk Johnson - Budget Advisory meeting reminder.
Community Development Director Claire Lust - Attending WA APA conference.

X. ADJOURN

8:06PM



Julie Ferriss, City Clerk



Jennifer Lindsay, Mayor